

**Notice of Allowability**

Application No.

10/643,101

Examiner

Samir A. Ahmed

Applicant(s)

ARNOUSE, MICHAEL

Art Unit

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**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/03/05.
2. ☒ The allowed claim(s) is/are 1-52, 54-71 (now renumbered 1-70 for issue).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>20051222</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                         |
|   | 9. <input type="checkbox"/> Other _____.   |

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/03/05 has been entered.

2. The amendment filed 11/09/05 have been entered and made of record.

#### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. Authorization for the following Examiner's amendment was given in a telephone interview with Paul A. Taufer (reg. # 35,703) on 11/28/05, acting as applicants representative, authorized the following amendment:

Please amend claims 1,8,14,27,40 and ,71 as follows:

In claim 1, after "during" on line 2, please delete [any phase] and insert - - all phases --.

In claim 1, after "during" on line 14, please delete [any phase] and insert - - all phases --.

In claim 8, after "during" on line 1, please delete [any phase] and insert - - all phases --.

In claim 8, after "any time during" on line 5, please insert - - all phases of --.

In claim 8, after "during" on line 14, please delete [any phase] and insert - - all phases --.

In claim 14, after "during" on line 1, please delete [all phase] and insert - - all phases --.

In claim 14, after "any time during" on line 6, please insert - - all phases of --.

In claim 14, after "any time during" on line 9, please insert - - all phases of --.

In claim 14, after "wherein during" on line 9, please insert - - all phases of --.

In claim 27, after "during" on line 6, please insert - - all phases of --.

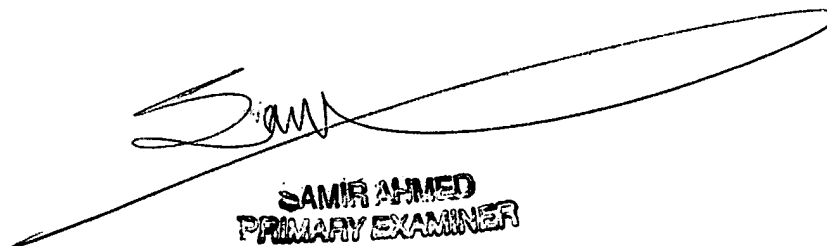
In claim 27, after "any time during" on line 10, please insert - - all phases of --.

In claim 27, after "wherein during" on line 10, please insert - - all phases of --.

In claim 40, after "during" on line 13, please delete [any phase] and insert - - all phases --.

In claim 40, after "wherein during" on line 15, please insert - - all phases of --.

In claim 71, after "during a flight" on line 3, please delete [and in an identification verification step].



**SAMIR AHMED**  
**PRIMARY EXAMINER**

### **REASONS FOR ALLOWANCE**

1. The following is an examiner's statement of reasons for allowance: The limitations "one or more monitoring devices being operable to disable the controller and engage an autopilot if an unauthorized user is detected at the controller at any time during all phases of an aircraft flight, comprising starting up of the aircraft, movement of the aircraft from a fixed position, take-off or landing of the aircraft, taxiing of the aircraft as well as in the air flight" recited in claim 1; "one or more control mechanisms in communication with the one or more monitoring systems to regulate operation of the aircraft based on whether or not an authorized person has been identified during all phases of an aircraft flight, comprising starting up of the aircraft, movement of the aircraft from a fixed position, take-off or landing of the aircraft, taxiing of the aircraft as well as in the air flight" recited in claim 8; "to determine whether the person attempting to operate the aircraft at any time during all phases of flight is authorized to operate the aircraft, wherein during all phases of flight comprises the phases of starting up of the aircraft, movement of the aircraft from a fixed position, take-off or landing of the aircraft, taxiing of the aircraft as well as in the air flight" recited in claim 14; "to determine whether the person attempting to operate the aircraft at any time during all phases of flight is authorized to operate the aircraft, wherein during all phases of flight comprises the phases of starting up of the aircraft, movement of the aircraft from a fixed position, take-off or landing of the aircraft, taxiing of the aircraft as well as in the air flight" recited in claim 27; and "one or more control systems in communication with the one or more monitoring systems to regulate operation of the aircraft during all phases of an aircraft's

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flight by allowing or disallowing persons to fly the aircraft depending on whether or not an authorized person has been identified, wherein during all phases of flight comprises the phases of starting up of the aircraft, movement of the aircraft from a fixed position, take-off or landing of the aircraft, taxiing of the aircraft as well as in the air flight" recited in claim 40, in combination with the other elements of the claims are not disclosed or suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

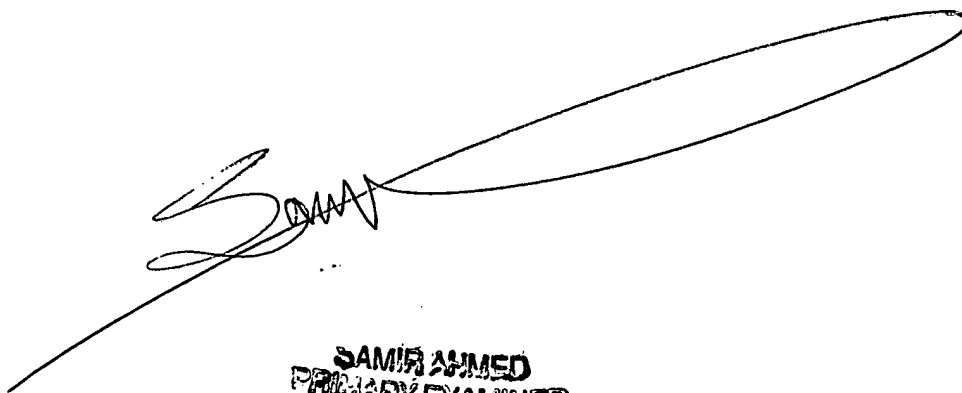
2. Claims 1-52, 53-71 (now renumbered 1-70 for issue) are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samir A. Ahmed whose telephone number is (571) 272-7413. The examiner can normally be reached on Mon-Fri 8:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on (571) 272-7414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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**SAMIR AHMED**  
**PRIMARY EXAMINER**